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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,934	08/08/2001	Matthew C. Mattina	1662-38300 JMH (P01-3570)	3940

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER	
ANYA, CHARLES E	

ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/924,934	MATTINA ET AL.	
	Examiner	Art Unit	
	Charles E. Anya	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-34 are pending in this application.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3,13-15 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub. No. 2004/0093467 A1 to Shen et al. in view of U.S. Pat. No. 6,425,050 B1 to Beardsley et al.

4. As to claim 1, Shen teaches a distributed multiprocessing computer system, which includes a plurality of processors each coupled to an associated memory module, wherein each associated memory module may store data that is shared between said processors (figure 1 page 4 paragraph 0064), said system comprising: a Home processor that includes a memory block and a directory for said memory block in an associated memory module (figure 2 page 5 paragraph 0069); an Owner processor that includes a cache memory (figure 2 page 5 paragraph 00068), and wherein said Owner processor obtains an exclusive copy of said memory block, and stores said exclusive copy of said memory block in said cache memory (figure 8E page paragraph 0112).,

and wherein said Owner processor may displace the exclusive copy of said memory block (". ..FlushReq.. ." page 10 paragraph 01 13).

5. Shen is silent with respect to returning said displaced copy of said memory block to said Home processor with a signal indicating that said Owner processor remains a sharer of said memory block.

6. Beardsley teaches returning said displaced copy of said memory block to said Home processor (DASD) with a signal indicating that said Owner processor (requester/user/host) remains a sharer of said memory block (figures 3/4 "...destage operation..." Col. 5 Ln. 43 - 67, Col. 6 Ln. 18 - 33).

7. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Beardsley and Shen because the teaching of Beardsley would improve the system of Shen by preventing delay in responding to a read request when a track is being destaged in mission critical systems (Col. 2 Ln. 46 - 60).

8. As to claim 2, Shen teaches the distributed multiprocessing computer system of claim 1, wherein said Owner processor obtains an exclusive copy of said memory block by issuing a Load Lock instruction, and wherein the directory associated with the Home processor indicates that said Owner processor has obtained exclusive control of said memory block ("...C[id]) indicator..." page 9 paragraph 01 12).

9. As to claim 3, Beardsley teaches the distributed multiprocessing computer system of claim 2, wherein said Owner processor is capable of executing multiple threads concurrently, and may displace data associated with a non-executing thread from its associated cache memory (figure 4 Col. 6 Ln. 18 - 33).

10. As to claims 13 and 24, see the rejection of claim 1 above.

11. As to claims 14 and 25, see the rejection of claim 2 above.

12. As to claim 15, Shen teaches the method of claim 13, wherein the Load Lock instruction forms part of a Load Lock/store Conditional instruction pair (page 4 paragraph 0060).

13. As to claim 26, see the rejection of claim 3 above.

14. Claims 4-12,1643 and 27-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pub. No. 2004/0093467 A1 to Shen et al. in view of U.S. Pat. No. 6,425,050 B1 to Beardsley et al. as applied to claim 3 above, and further in view of U.S. Pat. No. 5,937,199 to Temple.

15. As to claim 4, Shen and Beardsley are silent with reference to the distributed multiprocessing computer system of claim 3, wherein said Owner processor includes a

register in which an address is stored representing the memory block obtained in response to the Load Lock instruction, and wherein said Owner processor compares the address of any displaced data with the address stored in said register.

16. Temple teaches the Owner processor to include a register in which an address is stored representing the memory block obtained in response to the Load Lock instruction, and wherein said Owner processor compares the address of any displaced data with the address stored in said register (Col. 10 Ln. 5 - 36).

17. It would have been obvious to one of ordinary skill in the ad at the time the invention was made to combine the teachings of Temple, Beardsley and Shen because the teaching of Temple would improve the system of Shen and Beardsley by providing a read-modify-write operation that ensures that a storage location from which data is accessed is not subsequently accessed by the system prior to the storage of the modified data (Col. 10 Ln. 10 - 14).

18. As to claim 5, Beardsley teaches the distributed multiprocessing computer system of claim 4, wherein the Owner processor asserts a Victim To Shared message if the address of any displaced data matches the address stored in said register (Col. 6 Ln. 18 - 33: NOTE: since Beardsley teaches assertion of victim to shared message, the matching of the address of the displaced data with the register would be inherent).

19. As to claim 6, Beardsley teaches the distributed multiprocessing computer system of claim 5, wherein the Owner processor assets a Victim message if the address

of any displaced data does not match address stored in said register (Col. 5 Ln. 59 - 67).

20. As to claim 7, Although Beardsley does not explicitly teach the distributed multiprocessing computer system of claim 5, wherein the directory associated with the Home processor indicates that said Owner processor has become a sharer of said memory block in response to said Victim To Shared message, Beardsley does teach a full track flag 22 as an indicator that a new read request can access a track being destaged (Col. 6 Ln. 39 - 45).

21. As to claim 8, Beardsley teaches the distributed multiprocessing computer system of claim 7, wherein said Owner processor subsequently re-obtains an exclusive copy of said memory block to complete execution of the non-executing thread (Col. 7 Ln. 1 - 11).

22. As to claim 9, Beardsley teaches the distributed multiprocessing computer system of claim 8, wherein the Owner processor assets a Read-with-Modify Intent Store Conditional instruction to the Home directory/processor to again request an exclusive copy of said memory block (Col. 7 Ln. 1 - 11).

23. As to claim 10, Beardsley teaches the distributed multiprocessing computer system of claim 9, wherein, in response to the Read-with-Modify Intent Store

Conditional instruction, the Home directory/processor determines if the Owner processor is a sharer of the memory block, and if so, the Home directory sends an exclusive copy of the memory block to the Owner processor (Col. 7 Ln. 1 - 11).

24. As to claim 11, Beardsley teaches the distributed multiprocessing computer system of claim 10, wherein the Home directory/processor invalidates all other sharers when it sends an exclusive copy of the memory block to the Owner (Col. 7 Ln. 7 - 11).

25. As to claim 12, Beardsley teaches the distributed multiprocessing computer system of claim 9, wherein the Home directory determines if the Owner processor is a sharer of the memory block, and if not, the Home directory/processor sends a Store Conditional Failure message to the Owner processor (Col. 7 Ln. 7 - 11).

26. As to claim 16, Temple teaches the method of claim 13, wherein the act of updating the coherence directory includes modifying a register to indicate that the Owner processor has an exclusive copy of the memory block (Col. 10 Ln. 16 - 31).

27. As to claims 17 and 27, see the rejection of claim 4 above.

28. As to claims 18 and 28, see the rejection of claim 5 above.

29. As to claims 19 and 29, see the rejection of claim 7 above.

30. As to claims 20 and 31, see the rejection of claim 9 above.

31. As to claims 21 and 32, see the rejection of claim 10 above.

32. As to claims 22 and 33, see the rejection of claim 11 above.

33. As to claims 23 and 34, see the rejection of claim 12 above.

Response to Arguments

34. Applicant's arguments filed 3/15/05 have been fully considered but they are not persuasive.

Applicant argues in substance that (1) the Beardsley prior art reference does not teach returning a signal to a home processor indicating that a remote processor, having displaced a memory block, remain a sharer of the block, and (2) the Beardsley prior art reference does not teach allowing a processor to be identified as a sharer after displacing the memory block from its cache.

Examiner respectfully traverses Applicant's argument:

As to point (1), Beardsely does teaches returning a signal to a home processor indicating that a remote processor, having displaced a memory block, remain a sharer of the block by disclosing a full track flag 22 as an indicator that a new read request can access a track being destaged (Col. 6 Ln. 39 - 45).

As to point (2), the invention as claimed does not require this limitation and as such is not considered. The fact that the displacing step is mentioned before the transmission step does not mean that the steps have to be chronological.

Conclusion

35. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E. Anya whose telephone number is (571) 272-3757. The examiner can normally be reached on M-F (8:30-6:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, An Meng-Ai can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles E Anya
Examiner
Art Unit 2194

cea.

MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100